

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCUS CHILES,

Defendant.

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8:14CR337

ORDER

This matter is before the court on the motion to continue trial by defendant Marcus Chiles (Chiles) (Filing No. 55). Chiles' counsel represents that government's counsel has no objection to the motion. Chiles has filed an affidavit wherein he agrees with motion and understands the time allotted for his motion will be excluded under the computations of the Speedy Trial Act (Filing No. 56). Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Chiles' motion to continue trial (Filing No. 55) is granted.
2. Trial of this matter is re-scheduled for **July 6, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 27, 2015, and July 6, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 27th day of May, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge